

rotation that is perpendicular to the longitudinal axis of the handle,

wherein the at least three preset pivot positions having at least a first position in which the cutting edge is substantially angled with respect to a cutting surface, and at least a second position in which the cutting edge is substantially parallel with respect to the cutting surface.

#### REMARKS

Claims 1, 2, 4 to 14, and 16 to 19 are pending in the present application. Claims 3, 15 and 20 have been canceled.

The Office Action **(1)** rejected claims 1 to 4 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,797,109 to Yamada et al. ("the Yamada patent"); **(2)** rejected claims 1 to 5 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 2,119,792 to Parkin ("the Parkin patent"); **(3)** rejected claims 1 to 6 under 35 U.S.C. 103(a) as being unpatentable over the Parkin patent in view of U.S. Patent No. 5,093,991 to Hendrickson ("the Hendrickson patent"); **(4)** rejected claims 1 to 5, 14 to 17, 19 and 20 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. Re. 22,638 to Kleinman patent ("the Kleinman patent") in view of the Parkin patent; and **(5)** rejected claims 1 to 6 and 14 to 20 under 35 U.S.C. 103(a) as being unpatentable over the Kleinman patent in view of the Hendricks patent, or alternatively the Kleinman patent in view of the Parkin patent and in further view of the Hendrickson.

Regarding item **(1)** identified above, it is respectfully submitted that claim 1 is patentable over the cited reference at

least because the cited reference fails to disclose or suggest "a clipper head having a cutting assembly with a stationary blade and a reciprocating blade cooperating to provide a cutting edge". In contrast, the Yamada patent teaches a shaving head containing a hair cutting blade block having an inner rotating disc-blade and an outer stationary disc-foil blade. (see in particular Fig. 5).

Furthermore, the Yamada patent also fails to disclose or suggest "a first position in which the cutting edge is substantially angled with respect to a cutting surface, and at least a second position in which the cutting edge is substantially parallel with respect to the cutting surface." In contrast, the Yamada patent suggests that the hair cutting blade block provide a cutting surface that is "always" in effectively close contact with a user's skin. (col. 1, lines 4-22). This requirement differs from providing a "cutting edge", which as noted above, is provided by a reciprocating blade cooperating with a stationary blade, "fixedly positioned in any one of at least three preset pivot positions" such that in at least one of said positions the "cutting edge" is angled with respect to a cutting surface (i.e., the user's skin), and in at least one other of said positions the "cutting edge" is parallel with respect to the cutting surface.

Thus, the Yamada patent does not disclose or suggest all of the features of claim 1. Accordingly, reconsideration and withdrawal of the rejection of claim 1 as it relates to the Yamada patent, and allowance thereof, are respectfully requested.

Claims 2 to 4, which depend either directly or indirectly from claim 1, are patentable at least for the reasons discussed

above with respect to claim 1. Accordingly, reconsideration and withdrawal of the rejection of claims 2 to 4, and allowance thereof, are respectfully requested.

Regarding item **(2)** identified above, it is respectfully submitted it is respectfully submitted that claim 1 is patentable over the Parkin patent at least because the Parkin patent fails to disclose or suggest "a first position in which the cutting edge is substantially angled with respect to a cutting surface, and at least a second position in which the cutting edge is substantially parallel with respect to the cutting surface."

In contrast, the Parkin patent teaches that "the parts may be adjustable so that the blade may be located in a plane substantially at right angles to the handle or so that the blade may be disposed in an angular position inclined at either side of such a plane." (col. 1, lines 21-26). This requirement differs from providing a "cutting edge" that can be "fixedly positioned in any one of at least three preset pivot positions" such that in at least one of said positions the cutting edge is "angled with respect to a cutting surface" (i.e., the user's skin), and in at least one other of said positions the cutting edge is "parallel with respect to the cutting surface".

Thus, the Parkin patent does not disclose or suggest all of the features of claim 1. Accordingly, reconsideration and withdrawal of the rejection of claim 1 as it relates to the Parkin patent, and allowance thereof, are respectfully requested.

Claims 2 to 5, which depend either directly or indirectly from claim 1, are patentable at least for the reasons discussed

above with respect to claim 1. Accordingly, reconsideration and withdrawal of the rejection of claims 2 to 5, and allowance thereof, are respectfully requested.

Regarding item **(3)** identified above, it is respectfully submitted it is respectfully submitted that claim 1 is patentable over the cited combination of references (i.e., the Hendrickson patent and the Parkin patent) at least because the cited combination fails to disclose or suggest "a first position in which the cutting edge is substantially angled with respect to a cutting surface, and at least a second position in which the cutting edge is substantially parallel with respect to the cutting surface."

In contrast, the Parkin patent, as noted above with respect to item **(2)**, teaches that "the parts may be adjustable so that the blade may be located in a plane substantially at right angles to the handle or so that the blade may be disposed in an angular position inclined at either side of such a plane." (col. 1, lines 21-26). In addition, the Hendrickson patent likewise fails to disclose or suggest "a first position in which the cutting edge is substantially angled with respect to a cutting surface, and at least a second position in which the cutting edge is substantially parallel with respect to the cutting surface."

Further, it is respectfully noted that the Hendrickson patent teaches away from "a head connector for connecting the clipper head and the handle so that the clipper head pivots about an axis of rotation that is perpendicular to the longitudinal axis of the handle" (emphasis added). That is, the Hendrickson patent teaches that "the shaving head assembly is

thus adjustable with respect to the handle assembly by indexed rotation of the mating face of one assembly with respect to the other." (emphasis added), (see Abstract). This required "indexed rotation" clearly differs from a clipper head that "pivots" about an axis of rotation.

Thus, at least based on the foregoing, it is respectfully submitted that the combination of the Parkin patent and the Hendrickson patent fails to disclose or suggest all of the features of claim 1. Accordingly, reconsideration and withdrawal of the rejection of claim 1 as it relates to said cited combination of references, and allowance thereof, are respectfully requested.

Claims 2 to 6, which depend either directly or indirectly from claim 1, are patentable at least for the reasons discussed above with respect to claim 1. Accordingly, reconsideration and withdrawal of the rejection of claims 2 to 6, and allowance thereof, are respectfully requested.

Regarding item **(4)** identified above, it is respectfully submitted that claim 1 is patentable over the cited combination of references (i.e., the Kleinman patent and the Parkin patent) at least because the cited combination fails to disclose or suggest "a first position in which the cutting edge is substantially angled with respect to a cutting surface, and at least a second position in which the cutting edge is substantially parallel with respect to the cutting surface."

The Kleinman patent, in addition too, as noted in the Action, failing to disclose or suggest a clipper head that "can be fixedly positioned in any one of at least three preset pivot

positions", also fails to disclose or suggest "a first position in which the cutting edge is substantially angled with respect to a cutting surface, and at least a second position in which the cutting edge is substantially parallel with respect to the cutting surface." In contrast, the Kleinman patent provides "a device wherein the head portion comprises a plurality of individual hair cutting or shaving units, spaced away from each other in a manner whereby the skin of the face to be shaved may bulge therebetween and the hair may enter the hair passages at the top face of the units and also laterally with respect to such top face of said units thereby increasing the shaving facilities" (emphasis added). (col. 1, lines 8-20).

The Parkin patent, as noted above with respect to item **(2)**, provides that "the parts may be adjustable so that the blade may be located in a plane substantially at right angles to the handle or so that the blade may be disposed in an angular position inclined at either side of such a plane." (col. 1, lines 21-26). This required arrangement, as previously stated, clearly differs from that which is provided by claim 1. Accordingly, it is respectfully submitted that the cited combination fails to disclose or suggest the features of claim 1. Accordingly, reconsideration and withdrawal of the rejection of claim 1 as it relates to said cited combination of references, and allowance thereof, are respectfully requested.

Regarding claim 3, claim 3 has been cancelled.

Claims 2, 4, and 5, which depend either directly or indirectly from claim 1, are patentable at least for the reasons discussed above with respect to claim 1. Accordingly,

reconsideration and withdrawal of the rejection of claims 2, 4 and 5, and allowance thereof, are respectfully requested.

Regarding claim 14, it is respectfully submitted that claim 14 is patentable over the cited combination of references at least because the cited combination fails to disclose or suggest "at least a first position in which the cutting edge is substantially angled with respect to a cutting surface, and at least a second position in which the cutting edge is substantially parallel with respect to the cutting surface."

Both the Kleinman patent and the Parkin patent, as noted above with respect to claim 1, fail to disclose or suggest "a first position in which the cutting edge is substantially angled with respect to a cutting surface, and at least a second position in which the cutting edge is substantially parallel with respect to the cutting surface." Thus, it is respectfully submitted that the cited combination of said references fails to provide for the invention of claim 14. Accordingly, reconsideration and withdrawal of the rejection of claim 14 as it relates to said cited combination of references, and allowance thereof, are respectfully requested.

Regarding claim 15, claim 15 has been cancelled.

Claims 16 and 17, which depend either directly or indirectly from claim 14, are patentable at least for the reasons discussed above with respect to claim 14. Accordingly, reconsideration and withdrawal of the rejection of claims 16 and 17, and allowance thereof, are respectfully requested.

In addition to the foregoing, it is respectfully submitted that one of ordinary skill in the art would not have combined the teachings of the Kleinman patent, which specifically requires "a plurality of individual hair cutting or shaving units, spaced away from each other in a manner whereby the skin of the face to be shaved may bulge therebetween", (col. 1, lines 9-13), with those of the Parkin patent, which distinctly suggests "a double edged blade" (col. 1, lines 22-30). Hence, there is no reason to combine the cited references. Accordingly, it is respectfully requested that the rejection of claims 1, 2, 4, 5, 6 and 14 to 18, as they relate to the cited combination of the Kleinman patent and the Parkin patent, be reconsidered and withdrawn, and that said claims be allowed.

Regarding claim 19, it is respectfully submitted it is respectfully submitted that claim 19 is patentable over the cited combination of references at least because the cited combination fails to disclose or suggest "a first position in which the cutting edge is substantially angled with respect to a cutting surface, and at least a second position in which the cutting edge is substantially parallel with respect to the cutting surface."

Both the Kleinman patent and the Parkin patent, as discussed above with respect to claim 1, fail to disclose or suggest "a first position in which the cutting edge is substantially angled with respect to a cutting surface, and at least a second position in which the cutting edge is substantially parallel with respect to the cutting surface." Thus, it is respectfully submitted that the cited combination of said references fails to provide for the invention of claim 19. Accordingly, reconsideration and withdrawal of the rejection of



claim 19 as it relates to said cited combination of references, and allowance thereof, are respectfully requested.

Regarding claim 20, claim 20 has been cancelled.

Regarding item (5) identified above, it is respectfully submitted that claims 1, 2, 4, 5, 6, 14 and 16 to 19 are patentable over the cited combination of the Kleinman patent and the Parkin patent at least for the reasons discussed above with respect to item (4).

Regarding the alternative rejection of claims 1 to 6 and 14 to 20 as they relate to the cited combination of the Kleinman patent and the Hendrickson patent, it is respectfully submitted that claims 1 and 14 are patentable over said cited combination at least because the combination of these references, as well as each individually, fail to disclose or suggest "a first position in which the cutting edge is substantially angled with respect to a cutting surface, and at least a second position in which the cutting edge is substantially parallel with respect to the cutting surface." In addition, as claims 2, 4, 5, 6, 15 and 16 to 18 depend either directly or indirectly from either claim 1 or claim 14, it is respectfully submitted that such claims are patentable over the cited combination of references at least for the reasons discussed with respect to claims 1 or 14.

The Kleinman patent, in addition too, as noted in the Action, failing to disclose or suggest a clipper head that "can be fixedly positioned in any one of at least three preset pivot positions", also fails to suggest or disclose "a first position in which the cutting edge is substantially angled with respect to a cutting surface, and at least a second position in which

the cutting edge is substantially parallel with respect to the cutting surface." In contrast, the Kleinman patent specifically and narrowly teaches "a device wherein the head portion comprises a plurality of individual hair cutting or shaving units, spaced away from each other in a manner whereby the skin of the face to be shaved may bulge therebetween and the hair may enter the hair passages at the top face of the units and also laterally with respect to such top face of said units thereby increasing the shaving facilities" (emphasis added). (col. 1, lines 8-20).

The Parkin patent, as noted above with respect to item **(2)**, specifically teaches that "the parts may be adjustable so that the blade may be located in a plane substantially at right angles to the handle or so that the blade may be disposed in an angular position inclined at either side of such a plane." (col. 1, lines 21-26). This required arrangement, as previously stated, clearly differs from providing a "cutting edge" that can be "fixedly positioned in any one of at least three preset pivot positions" such that in at least one of said positions the cutting edge is "angled with respect to a cutting surface" (i.e., the user's skin), and in at least one other of said positions the cutting edge is "parallel with respect to the cutting surface".

Thus, at least based on the foregoing, it is respectfully submitted that the cited combination of the Kleinman patent and the Parkin patent fails to disclose or suggest the entire invention of claim 1. Accordingly, reconsideration and withdrawal of the rejection of claim 1 as it relates to said cited combination of references, and allowance thereof, are respectfully requested.

Claims 2 to 6, which depend either directly or indirectly from claim 1, are patentable at least for the reasons discussed above with respect to claim 1. Accordingly, reconsideration and withdrawal of the rejection of claims 2 to 6, and allowance thereof, are respectfully requested.

Regarding claim 14, it is respectfully submitted it is respectfully submitted that claim 14 is patentable over the cited combination of references at least because the cited combination fails to disclose or suggest "at least a first position in which the cutting edge is substantially angled with respect to a cutting surface, and at least a second position in which the cutting edge is substantially parallel with respect to the cutting surface."

Both the Kleinman patent and the Parkin patent, as discussed above with respect to claim 1, fail to disclose or suggest "a first position in which the cutting edge is substantially angled with respect to a cutting surface, and at least a second position in which the cutting edge is substantially parallel with respect to the cutting surface." Thus, it is respectfully submitted that the cited combination of said references fails to provide for the entire invention of claim 14. Accordingly, reconsideration and withdrawal of the rejection of claim 14 as it relates to said cited combination of references, and allowance thereof, are respectfully requested.

Claims 15 to 18, which depend either directly or indirectly from claim 14, are patentable at least for the reasons discussed above with respect to claim 14. Accordingly, reconsideration

and withdrawal of the rejection of claims 15 to 18, and allowance thereof, are respectfully requested.

Regarding claim 19, it is respectfully submitted that claim 19 is patentable over the cited combination of references at least because the cited combination fails to disclose or suggest "a first position in which the cutting edge is substantially angled with respect to a cutting surface, and at least a second position in which the cutting edge is substantially parallel with respect to the cutting surface."

Both the Kleinman patent and the Parkin patent, as discussed above with respect to claim 1, fail to disclose or suggest "a first position in which the cutting edge is substantially angled with respect to a cutting surface, and at least a second position in which the cutting edge is substantially parallel with respect to the cutting surface." Thus, it is respectfully submitted that the cited combination of said references fails to provide for the entire invention of claim 19. Accordingly, reconsideration and withdrawal of the rejection of claim 19 as it relates to said cited combination of references, and allowance thereof, are respectfully requested.

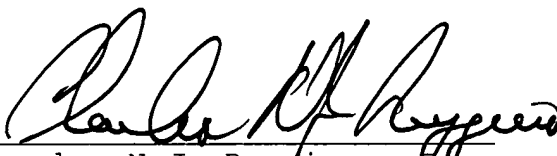
Claim 20, which depends directly from claim 19, is patentable at least for the reasons discussed above with respect to claim 19. Accordingly, reconsideration and withdrawal of the rejection of claim 20, and allowance thereof, are respectfully requested.

In addition, it is respectfully submitted that one of ordinary skill in the art would not have combined the teachings of the Kleinman patent, which specifically requires "a plurality

of individual hair cutting or shaving units, spaced away from each other in a manner whereby the skin of the face to be shaved may bulge therebetween", (col. 1, lines 9-13), with those of the Parkin patent, which distinctly suggests "a double edged blade" (col. 1, lines 22-30). Hence, as there is no reason to combine the cited references, it is respectfully requested that the rejection of claims 1 to 6 and 14 to 20, as they relate to the cited combination of the Kleinman patent and the Parkin patent, be reconsidered and withdrawn, and that said claims be allowed.

In sum, it is respectfully submitted that the pending claims are clearly patentable over each cited reference and the cited combinations of the same. Thus, this application is in condition for allowance. Accordingly, reconsideration and withdrawal of all rejections of the claims are respectfully requested.

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE****IN THE CLAIMS**

Please cancel claims 3, 15 and 20.

Please amend claims 1, 4, 5, 14, 16, 17 and 19 as follows:

1. (Twice amended) A hair clipper comprising:

a clipper head having a cutting assembly with a stationary blade and a reciprocating blade cooperating to provide a cutting edge;

a handle having a longitudinal axis; and

a head connector for connecting the clipper head and the handle so that the clipper head pivots about an axis of rotation that is perpendicular to the longitudinal axis of the handle,

wherein the clipper head can be fixedly positioned in any one of at least three preset pivot positions, the at least three preset pivot positions having at least a first position in which the cutting edge is substantially angled with respect to a cutting surface, and at least a second position in which the cutting edge is substantially parallel with respect to the cutting surface.

4. (Twice amended) The hair clipper of claim [3] 1, wherein the head connector comprises:

at least one arm being disposed on the handle and offset from the longitudinal axis of the handle;

a first connector being disposed on the at least one arm;  
and

a second connector being positioned on the clipper head,

wherein the first and second connectors join the clipper head to the arm of the handle such that the clipper head pivots about the axis of rotation and such that the clipper head is securable in any one of the [plurality of pivoted] at least three preset pivot positions.

5. (Twice amended) The hair clipper of claim 4, wherein the first connector is a first gear, the second connector is a second gear, and the head connector has a releasing mechanism for meshing and unmeshing the first gear and the second gear, such that when the first gear is meshed with the second gear the clipper head is secured in any one of the at least three preset pivot positions, and when the first gear is unmeshed from the second gear the clipper head is pivotable about the axis of rotation.

14. (Twice amended) A hair clipper comprising:

a clipper head having pivot points positioned on opposite sides thereof, a stationary blade having teeth and a reciprocating blade having teeth, wherein the teeth of the stationary blade are substantially parallel to the teeth of the reciprocating blade to form a cutting edge; and

a handle having a longitudinal axis, a pair of arms, a connector disposed on each arm, and a mechanism for

reciprocating the reciprocating blade such that hair positioned within the teeth of the stationary blade are cut by the teeth of the reciprocating blade,

wherein each connector [is adapted to engage] engages one of the pivot points such that the clipper head can be fixedly positioned in any one of at least three preset pivot positions about an axis of rotation perpendicular to the longitudinal axis of the handle and parallel to the cutting edge, the at least three preset pivot positions having at least a first position in which the cutting edge is substantially angled with respect to a cutting surface, and at least a second position in which the cutting edge is substantially parallel with respect to the cutting surface.

16. (Twice amended) The hair clipper of claim [15] 14, further comprising a mechanism for selectively releasing and securing the connectors and the pivot points such that when the clipper head is secured in any one of the at least three preset pivot [plurality of pivoted] positions the connectors and pivot points are secured, and the clipper head is pivotable about the axis of rotation when the connectors and pivot points are released.

17. (Twice amended) The hair clipper of claim 16, wherein the connectors are first gears, the pivot points are second gears, and the releasing and securing mechanism is adapted to release and secure the first gears with the second gears, respectively, such that when the first gears are secured with the second gears the clipper head is secured in any one of the at least three preset pivot [number of pivoted] positions, and the clipper head is pivotable about the axis of rotation when



the first gears are released from the second gears.

19. (Twice amended) An electric hair clipper comprising:

a clipper head having a cutting assembly with a stationary blade and a reciprocating blade cooperating to provide a cutting edge;

a handle having a longitudinal axis, and housing a motor operatively connected to the cutting assembly such that hair positioned within the cutting edge is cut; and

a head connector for connecting the clipper head and the such that the clipper head can be fixedly positioned in any one of at least three preset pivot positions about an axis of rotation that is perpendicular to the longitudinal axis of the handle,

wherein the at least three preset pivot positions having at least a first position in which the cutting edge is substantially angled with respect to a cutting surface, and at least a second position in which the cutting edge is substantially parallel with respect to the cutting surface.